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6 Attorney for Defendant
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10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA, Plaintiff, v. WILLIAM MONTE DAVIS, Defendant.	CR-11-0337-MMC <u>STIPULATION AND [PROPOSED] ORDER CONTINUING HEARING</u>
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STIPULATION

Counsel for Defendant WILLIAM MONTE DAVIS, George C. Boisseau, is presently unavailable to consult with the defendant because defense counsel is engaged in a jury trial in the Sonoma County Superior Court. Accordingly, Defendant WILLIAM MONTE DAVIS and the government, through undersigned counsel, stipulate that there is good cause to continue the hearing presently scheduled for status/setting from February 15, 2012 at 2:30 p.m. to February 29, 2012 at 2:30 p.m., before the Honorable Maxine M. Chesney.

The parties further stipulate and request that the period from February 15, 2012 up to and including February 29, 2012 be excluded under the Speedy Trial Act pursuant to 18 U.S.C.

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1 §§3161(h)(7)(A) and 3161(h)(7)(B)(iv) in order to assure defendant continuity of counsel and
2 effective preparation of counsel.

3 IT IS SO STIPULATED.

5 Dated: February 13, 2012

/s/
6 GEORGE C. BOISSEAU
Attorney for Defendant William Monte Davis

8 Dated: February 13, 2012

/s/
9 CHINHAYI COLEMAN CADET
Assistant United States Attorney

10 ORDER

11 1. GOOD CAUSE APPEARING, it is hereby ordered that the hearing scheduled
12 for status/setting be continued from February 15, 2012 at 2:30 p.m. until February 29, 2012 at
13 2:15
2:30 p.m., before the Hon. Maxine M. Chesney.

14 2. Time is excluded under the Speedy Trial Act, 18 U.S.C. § 3161 from February
15, 2012 up to and including February 29, 2012 for continuity of counsel and effective
16 preparation of counsel for Defendant William Monte Davis. Failure to grant the requested
17 continuance would unreasonably deny the defendant continuity of counsel, and would deny
18 defense counsel the time necessary for effective preparation, taking into account the exercise of
19 due diligence.

20 3. Given these circumstances, the Court finds that the ends of justice served by
21 excluding the period from February 15, 2012 up to and including February 29, 2012 outweigh
22 the best interest of the public and Defendant William Monte Davis a speedy trial. 19 U.S.C. §
23 3161(h)(7)(A).

24 4. Accordingly, the Court orders that the period from February 15, 2012 up to and
25 including February 29, 2012 be excluded from the Speedy Trial Act calculations as to
26 Defendant William Monte Davis under 18 U.S.C. §§ 3161(h)(7)(A) & (B)(iv).

27 IT IS SO ORDERED.

28 Dated: Feb. 14, 2012


HON. MAXINE M. CHESNEY
United States District Judge